
TITLE 879 MANUFACTURED HOME INSTALLER LICENSING BOARD

Proposed Rule
LSA Document #11-3

DIGEST

Amends [879 IAC 1-1-6](#) concerning the definition of manufactured home. Adds [879 IAC 1-1-7](#) to define "mobile home". Amends [879 IAC 1-6-6](#), [879 IAC 1-6-8](#), and [879 IAC 1-7-2](#) regarding requirements for providers of licensing education and continuing education. Amends [879 IAC 1-8-1](#), [879 IAC 1-8-3](#), [879 IAC 1-8-4](#), and [879 IAC 1-8-8](#) through [879 IAC 1-8-12](#) regarding continuing education requirements for manufactured home installers. Amends [879 IAC 1-9-2](#) and [879 IAC 1-9-3](#) regarding distance learning continuing education for manufactured home installers. Effective 30 days after filing with the Publisher.

[IC 4-22-2.1-5 Statement Concerning Rules Affecting Small Businesses](#)

[879 IAC 1-1-6](#); [879 IAC 1-1-7](#); [879 IAC 1-6-6](#); [879 IAC 1-6-8](#); [879 IAC 1-7-2](#); [879 IAC 1-8-1](#); [879 IAC 1-8-3](#); [879 IAC 1-8-4](#); [879 IAC 1-8-8](#); [879 IAC 1-8-9](#); [879 IAC 1-8-10](#); [879 IAC 1-8-11](#); [879 IAC 1-8-12](#); [879 IAC 1-9-2](#); [879 IAC 1-9-3](#)

SECTION 1. [879 IAC 1-1-6](#) IS AMENDED TO READ AS FOLLOWS:

[879 IAC 1-1-6](#) "Manufactured home" defined

Authority: [IC 25-23.7-3-8](#)

Affected: [IC 22-12-1-14](#); [IC 25-23.7](#)

Sec. 6. "Manufactured home" means a structure, transportable in one (1) or more sections, that:

(1) in the traveling mode, is:

- (A) eight (8) body feet or more in width; or
- (B) forty (40) body feet or more in length; or

(2) when erected on site, is:

- (A) three hundred twenty (320) or more square feet; and
- (B) built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities; or

(3) is certified through the federal Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5401 et seq.);

and includes the plumbing, heating, and electrical systems contained therein. The term does not include industrialized building systems as defined in [IC 22-12-1-14](#).

(Manufactured Home Installer Licensing Board; [879 IAC 1-1-6](#); filed May 11, 2005, 2:00 p.m.: 28 IR 2981)

SECTION 2. [879 IAC 1-1-7](#) IS ADDED TO READ AS FOLLOWS:

[879 IAC 1-1-7](#) "Mobile home" defined

Authority: [IC 25-23.7-3-8](#)

Affected: [IC 22-12-1-14](#); [IC 25-23.7](#)

Sec. 7. "Mobile home" means a dwelling, including the equipment sold as part of the dwelling, that:

- (1) is factory assembled;
- (2) is transportable;
- (3) is intended for year-round occupancy;
- (4) is designed for transportation on its own chassis; and
- (5) was manufactured before June 15, 1976.

(Manufactured Home Installer Licensing Board; [879 IAC 1-1-7](#))

SECTION 3. [879 IAC 1-6-6](#) IS AMENDED TO READ AS FOLLOWS:

[879 IAC 1-6-6](#) Student fees; cancellation of course sessions

Authority: [IC 25-23.7-3-8](#)

Affected: [IC 25-23.7](#)

Sec. 6. (a) The cost of:

- (1) textbooks;
- (2) supplemental texts; and
- (3) required materials;

shall be included in the course fee. Disclosure of the full cost of the course, including tuition, books, and required materials, must be made to the student before enrollment.

(b) Each approved licensing education or continuing education course provider shall establish a refund policy ~~which that~~ is included in ~~all printed material~~ **on registration forms** related to the offering of the course. The refund policy shall be available for review and acceptance by the student at the time of enrollment.

(Manufactured Home Installer Licensing Board; [879 IAC 1-6-6](#); filed May 11, 2005, 2:00 p.m.: 28 IR 2985)

SECTION 4. [879 IAC 1-6-8](#) IS AMENDED TO READ AS FOLLOWS:

[879 IAC 1-6-8](#) Licensing education and continuing education course provider prohibitions

Authority: [IC 25-23.7-3-8](#)

Affected: [IC 25-23.7](#)

Sec. 8. Licensing education or continuing education course providers are prohibited from the following:

- (1) Giving materially inaccurate or misleading information in an application. ~~for licensing education or continuing education course provider approval or an annual report.~~
- (2) Deliberately falsifying or misrepresenting any information supplied to the board or the public.
- (3) Having substantially failed to comply with the provisions of any contract or agreement entered into with a student.
- (4) Failing to:
 - (A) allow the board or its designee to inspect the licensing education or continuing education course or its records; or ~~failing to~~
 - (B) make available such information as required by this article.
- (5) Violating [IC 25-23.7](#) or this title.
- (6) Failing to notify the board within thirty (30) days of the termination of its relationship with an instructor.

(Manufactured Home Installer Licensing Board; [879 IAC 1-6-8](#); filed May 11, 2005, 2:00 p.m.: 28 IR 2985)

SECTION 5. [879 IAC 1-7-2](#) IS AMENDED TO READ AS FOLLOWS:

[879 IAC 1-7-2](#) Renewal of licensing education or continuing education course providers

Authority: [IC 25-23.7-3-8](#); [IC 25-23.7-6-5](#)

Affected: [IC 25-23.7](#)

Sec. 2. Licensing education or continuing education course provider approval will expire on December 31 of every **fourth** year. To obtain renewal of the licensing education or continuing education course provider approval, the provider must submit a letter to the board requesting such renewal by ~~October 31~~ **December 1**. This letter must detail any changes made in the:

- (1) course topics;
- (2) materials;
- (3) instructors; or
- (4) other information required by [879 IAC 1-6](#).

(Manufactured Home Installer Licensing Board; [879 IAC 1-7-2](#); filed May 11, 2005, 2:00 p.m.: 28 IR 2986)

SECTION 6. [879 IAC 1-8-1](#) IS AMENDED TO READ AS FOLLOWS:

[879 IAC 1-8-1](#) Continuing education requirements

Authority: [IC 25-23.7-3-8](#); [IC 25-23.7-6-5](#)

Affected: [IC 25-23.7](#)

Sec. 1. (a) Manufactured home installers must complete ~~twelve (12)~~ **ten (10)** hours of continuing education in order to qualify for renewal of an active license.

(b) The number of continuing education hours that a licensee must obtain for the renewal period at the time of issuance of a new license shall be established by section 11 of this rule.

(*Manufactured Home Installer Licensing Board; [879 IAC 1-8-1](#); filed May 11, 2005, 2:00 p.m.: 28 IR 2987*)

SECTION 7. [879 IAC 1-8-3](#) IS AMENDED TO READ AS FOLLOWS:

[879 IAC 1-8-3](#) Continuing education topics

Authority: [IC 25-23.7-3-8](#); [IC 25-23.7-6-5](#)

Affected: [IC 25-1-11](#); [IC 25-23.7](#)

Sec. 3. (a) To qualify for renewal, a manufactured home installer must complete ~~twelve (12)~~ **ten (10)** hours of continuing education in any of the following topics:

- (1) [IC 25-23.7](#), Indiana manufactured home installer licensing act.
- (2) [IC 25-1-11](#), professional licensing standards of practice.
- (3) [879 IAC 1-2](#), competent practice of manufactured home installation.
- (4) [879 IAC 1-3](#), code of ethics.
- (5) [675 IAC 14](#), Indiana residential code, as adopted by the fire prevention and building safety commission.
- (6) [410 IAC 6-6](#), mobile home park sanitation and safety, as adopted by the Indiana state department of health.
- (7) Applicable federal and Indiana statutes, rules, and regulations governing manufactured home installation.
- (8) Manufacturer's installation manuals and requirements.
- (9) Preparation of manufactured housing sites.
- (10) Installation of foundation systems.
- (11) Blocking, perimeter support, and leveling of manufactured homes.
- (12) Structural connections of section and major components.
- (13) Installation of anchoring systems and components.
- (14) Installation of vapor barriers, curtain walls, access, and ventilation for crawlspace areas.
- (15) Electrical connections between sections.
- (16) Plumbing connections between sections.
- (17) Mechanical equipment connections between sections.
- (18) Gas equipment and appliance connections within the home.
- (19) Connections of vents, ducts, carpet, and other nonstructural components.

(b) The ~~twelve (12)~~ **ten (10)** hours of continuing education must include the following:

- (1) Professional ethics.
- (2) **Any new or revised federal statutes or regulations, or** Indiana statutes, rules, and regulations, governing manufactured home installers **that were adopted since the previous licensing period.**

(*Manufactured Home Installer Licensing Board; [879 IAC 1-8-3](#); filed May 11, 2005, 2:00 p.m.: 28 IR 2987*)

SECTION 8. [879 IAC 1-8-4](#) IS AMENDED TO READ AS FOLLOWS:

[879 IAC 1-8-4](#) Continuing education credit not given

Authority: [IC 25-23.7-3-8](#); [IC 25-23.7-6-5](#)

Sec. 4. Continuing education credit will not be given for any of the following:

- (1) Any education obtained prior to licensure.
- (2) ~~Approved~~ Licensing education courses **not approved** under [879 IAC 1-4-2](#).
- (3) Courses taken for a second or subsequent time during a renewal period.
- (4) Courses or seminars not completed. Partial credit may not be given.
- (5) Courses not completed due to dismissal by the continuing education provider for disruption of the course, such as the following:
 - (A) Reading newspapers.
 - (B) Talking on mobile telephones.
 - (C) Anything other than paying attention during the course.
- (6) Meetings of the manufactured home installer licensing board.
- (7) Training conducted during eating periods.
- (8) Motivational classes or seminars.
- (9) Business, social, or other noneducational meetings of professional groups or subgroups.

(Manufactured Home Installer Licensing Board; [879 IAC 1-8-4](#); filed May 11, 2005, 2:00 p.m.: 28 IR 2987)

SECTION 9. [879 IAC 1-8-8](#) IS AMENDED TO READ AS FOLLOWS:

[879 IAC 1-8-8](#) Inactive status

Authority: [IC 25-23.7-3-8](#); [IC 25-23.7-6-5](#)

Affected: [IC 25-23.7](#)

Sec. 8. Manufactured home installers may apply to the board to renew their licenses in an inactive status. No continuing education is required to renew inactive. An inactive manufactured home installer may not practice manufactured home installation **or approve the installation work of another person** while in an inactive status.

(Manufactured Home Installer Licensing Board; [879 IAC 1-8-8](#); filed May 11, 2005, 2:00 p.m.: 28 IR 2988)

SECTION 10. [879 IAC 1-8-9](#) IS AMENDED TO READ AS FOLLOWS:

[879 IAC 1-8-9](#) Reactivation of an inactive license

Authority: [IC 25-23.7-3-8](#); [IC 25-23.7-6-5](#)

Affected: [IC 25-23.7](#)

Sec. 9. (a) To reactivate an inactive license, a manufactured home installer must apply to the board for the reactivation on the application form supplied by the board.

(b) Manufactured home installers who have been inactive at the date the reactivation application is filed must submit proof of completion of ~~twelve (12)~~ **ten (10)** hours of continuing education within the four (4) year period immediately before the date the reactivation application is filed.

(c) Continuing education hours obtained by a licensee to reactivate an inactive license cannot be double counted by also using them for credit in the renewal period in progress. The continuing education requirements for the renewal period in progress are stated in section 11 of this rule.

(Manufactured Home Installer Licensing Board; [879 IAC 1-8-9](#); filed May 11, 2005, 2:00 p.m.: 28 IR 2988)

SECTION 11. [879 IAC 1-8-10](#) IS AMENDED TO READ AS FOLLOWS:

[879 IAC 1-8-10](#) Reinstatement of an expired or lapsed license

Authority: [IC 25-23.7-3-8](#); [IC 25-23.7-6-5](#)

Sec. 10. (a) An individual whose license has expired or lapsed and wishes to reenter the practice of manufactured home installation must file an application to renew the expired or lapsed license. The application shall be accompanied by the following:

- (1) The payment of the fee required to renew the quadrennial license specified in [879 IAC 1-4-1](#).
- (2) Evidence of completion of ~~the twelve (12)~~ **ten (10)** hours of continuing education ~~hours~~ prior to filing the application.

(b) The continuing education hours required under ~~subdivision~~ **subsection** (a)(2) must:

- (1) have been obtained no earlier than four (4) years prior to the date the application for reentry is filed; and
- (2) meet the requirements established in this rule.

(c) Continuing education obtained by a licensee to renew an expired or lapsed license under this section cannot be double counted by also using them for credit in the renewal period in progress. The continuing education requirements for the renewal period in progress at the time of reinstatement are stated in section 11 of this rule.

(Manufactured Home Installer Licensing Board; [879 IAC 1-8-10](#); filed May 11, 2005, 2:00 p.m.: 28 IR 2988)

SECTION 12. [879 IAC 1-8-11](#) IS AMENDED TO READ AS FOLLOWS:

[879 IAC 1-8-11](#) Continuing education required after reactivation or reinstatement

Authority: [IC 25-23.7-3-8](#); [IC 25-23.7-6-5](#)

Affected: [IC 25-23.7](#)

Sec. 11. The following table establishes the number of continuing education hours that a licensee must obtain for the four (4) year licensure period in progress at the time of the issuance, reactivation, or reinstatement of a license under sections 1, 9, and 10 of this rule:

Date of Issuance of License	Hours Required to Renew
January 1—June 30 of the first year	42
July 1—December 31 of During the first year	10
January 1—June 30 of During the second year	8
July 1—December 31 of the second year	6
January 1—June 30 of During the third year	4
July 1—December 31 of the third year	2
January 1—June 30 of During the fourth year	2
July 1—December 31 of the fourth year	0

(Manufactured Home Installer Licensing Board; [879 IAC 1-8-11](#); filed May 11, 2005, 2:00 p.m.: 28 IR 2988)

SECTION 13. [879 IAC 1-8-12](#) IS AMENDED TO READ AS FOLLOWS:

[879 IAC 1-8-12](#) Waiver of continuing education

Authority: [IC 25-23.7-3-8](#); [IC 25-23.7-6-5](#)

Affected: [IC 25-23.7](#)

Sec. 12. (a) Manufactured home installers who are unable to meet the continuing education requirements because they:

- (1) serve in the armed forces of the United States;
- (2) have an incapacitating illness or injury that prevented either part-time or full-time employment; or
- (3) reside outside of the United States of America;

may petition the board, in writing, to have a reduction or waiver of the continuing education requirements.

~~(b) Manufactured home installers who receive a reduction in the continuing education hours under subsection (a) must make up those hours in the next licensure period. Those hours will be in addition to the hours otherwise required for the next licensure period.~~

(Manufactured Home Installer Licensing Board; [879 IAC 1-8-12](#); filed May 11, 2005, 2:00 p.m.: 28 IR 2989)

SECTION 14. [879 IAC 1-9-2](#) IS AMENDED TO READ AS FOLLOWS:

[879 IAC 1-9-2](#) Distance education courses and providers

Authority: [IC 25-23.7-3-8](#); [IC 25-23.7-6-5](#)

Affected: [IC 25-23.7](#)

Sec. 2. (a) The board must approve continuing education courses **meeting the applicable requirements of this rule** offered by a distance learning method and ~~the~~ **an approved** provider of the distance learning method.

(b) A licensee must complete the distance education course within one (1) year of the date of enrollment.

(c) Course subjects allowed under [879 IAC 1-8-3](#) may be taken through distance learning. However, a maximum of fifty percent (50%) ~~(six (6))~~ **(five (5) hours)** of continuing education courses will be credited toward the ~~twelve (12)~~ **ten (10)** hour requirement.

(d) The board must approve a distance education course if the board determines to its satisfaction the following:

- (1) The distance education course serves to protect the public by contributing to the maintenance and improvement of the quality of the services provided by the manufactured home installer. ~~continuing education provider to the public.~~
- (2) An appropriate and complete application has been filed and approved by the board.
- (3) The distance education course meets the content requirements as prescribed in [879 IAC 1-8-3](#).
- (4) The distance education course or courses ~~meets~~ **meet** all other requirements as prescribed in the statutes and rules that govern the operation of approved courses.

(Manufactured Home Installer Licensing Board; [879 IAC 1-9-2](#); filed May 11, 2005, 2:00 p.m.: 28 IR 2989)

SECTION 15. [879 IAC 1-9-3](#) IS AMENDED TO READ AS FOLLOWS:

[879 IAC 1-9-3](#) Approval of distance education course and provider

Authority: [IC 25-23.7-3-8](#); [IC 25-23.7-6-5](#)

Affected: [IC 25-23.7](#)

Sec. 3. In order for a distance education course to be approved for credit, the continuing education course provider shall submit the following information:

- (1) For course design, the following:
 - (A) A plan for submitting substantial changes in the course to the board. Substantial changes include, but are not limited to, the following:
 - (i) Expanded or reduced course content.
 - (ii) Changes in the time allotments for portions of the course.
 - (iii) Changes ~~or redirect~~ **in the** learning objectives.
 - (iv) A change of instructor.
 - (v) Changes in the course delivery method.
 - (B) A course may provide a test, and the participant must score at least seventy-five percent (75%) to pass and receive credit for the class. Tests may have any combination of multiple choice, true or false, fill-in, or essay questions with at least twenty (20) questions per two (2) hours of instruction. If a test is not used, an alternate method of timing the licensee's participation must be provided to verify completion of the course.
- (2) For course delivery, the following:

- (A) The names and qualifications for each continuing education provider and instructor of the course offered by distance learning methods and ~~submit~~ their credentials, including any specific training for teaching via the specified delivery method as well as a plan for their continued professional development.
- (B) An identity affirmation statement is required. The licensee is required to sign the statement before any certificate of completion for distance learning is issued.
- (C) A plan for sufficient security to:
 - (i) ensure against fraudulent practices;
 - (ii) protect the licensee's identification information; and
 - (iii) verify that the student enrolled in the course is the one who completes the course and any required tests.
- (3) For licensee support services, information about the course, if applicable, including the following:
 - (A) Broadcasts and distance site locations.
 - (B) Faculty contact information.
 - (C) Course outline and learning objectives.
 - (D) Testing and grading information.
 - (E) Guidelines regarding what constitutes successful completion of the course.
 - (F) Homework assignments and deadlines.
 - (G) Fees and ~~refunds~~. **refund policies.**
 - (H) Prerequisites for the course.
 - (I) A list of required student materials.
 - (J) A list of other support services made available to the students.
- (4) For evaluation and assessment, an evaluation form ~~which~~ **that** solicits licensee feedback on the following:
 - (A) The delivery approach.
 - (B) The equipment.
 - (C) Suggestions for class improvement.
 - (D) Their overall satisfaction with the course.

It is required that every licensee in a distance education course be provided an evaluation form at the conclusion of the course.

(Manufactured Home Installer Licensing Board; [879 IAC 1-9-3](#); filed May 11, 2005, 2:00 p.m.: 28 IR 2990)

[Notice of Public Hearing](#)

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